

P E N S Y L V A N I A C H A R T E R,

Granted by King CHARLES II. in the Fourteenth Year
of his Reign.

Prima pars Patentium de Anno Regni Regis CAROLI Secundi Tricesimo Tertio.

CHARLES the Second, &c. to all to whom these Presents shall come, Greeting. Whereas Our trusty and well-beloved subject William Penn, Esquire, Son and Heir of Sir William Penn, deceased, out of commendable desire to enlarge Our English empire, and promote such useful commodities as may be of benefit to Us, and Our dominions; as also to reduce the savage natives, by gentle and just manners, to the love of civil Society, and christian religion, hath humbly besought leave of Us to transport an ample Colony unto a certain Country herein after described, in the parts of America not yet cultivated and planted; and hath likewise humbly besought Our Royal Majesty to give, grant, and confirm all the said country, with certain privileges and jurisdictions requisite for the good government and safety of the said Country and Colony, to him and his heirs, for ever: Know ye therefore, That We, favouring the petition and good purpose of the said William Penn, in having regard to the memory and merits of his late father, in divers services, and particularly to his conduct, courage and discretion, under Our dearest brother James Duke of York, in that signal battle and victory fought and obtained against the Dutch Fleet, commanded by the Heere Van Obdam, in the year one thousand six hundred and sixty-five; in consideration thereof, of Our special grace, certain knowledge, and mere motion, have given and granted, and by this Our present Charter, for Us, Our Heirs and Successors, do give and grant, unto the said Sir William Penn, his Heirs and Assigns, all that tract or part of land in America, with all the Islands therein contained, as the same is bounded on the East by Delaware river, from twelve miles distance Northwards of Newcastle Town, unto the three and fortieth degree of Northern latitude, if the said river doth extend so far Northwards; but if the said river shall not extend so far Northwards, then by the said river so far as it doth extend; and from the head of the said river the Eastern bounds are to be determined by a Meridian line, to be drawn from the head of the said river unto the said three and fortieth degree; the said lands to extend Westward five degrees in longitude, to be computed from the said Eastern bounds; and the said lands to be bounded on the North by the beginning of the three and fortieth degree of Northern latitude, and on the South by a circle drawn at twelve miles distance from New-

castle Northwards and Westwards, unto the beginning of the fortieth degree of Northern latitude; and then by a strait line Westwards to the limits of longitude above-mentioned. We do also give and grant unto the said William Penn, his Heirs and Assigns, the free and undisturbed use, and continuance in, and passage into, and out of, all and singular ports, harbours, bays, waters, rivers, isles and inlets belonging unto, or leading to and from the country or islands aforesaid, and all the soil, lands, fields, woods, underwoods, mountains, hills, fens, isles, lakes, rivers, waters, rivulets, bays, and inlets, situate and being within or belonging unto the limits and bounds aforesaid; together with the fishing of all sorts of fish, whales, sturgeons, and all royal and other fishes in the sea, bays, inlets, waters, or rivers within the premises, and the fish therein taken; and also all veins, mines, quarries, as well discovered as not discovered, of gold, silver, gems, and precious stones, and all other whatsoever, be it stones, metals, or of any other thing or matter whatsoever, found or to be found within the country, isles or limits aforesaid; and him the said William Penn, his Heirs and Assigns, We do by this Our Royal Charter, for Us, Our Heirs and Successors, make, create, and constitute the true and absolute Proprietaries of the said country aforesaid, and of all other the premises; saving always, to Us, Our Heirs and Successors, the faith and allegiance of the said William Penn, his Heirs and Assigns, and of all other the proprietaries, tenants, and inhabitants, that are and shall be within the territories and precincts aforesaid; and saving also unto Us, Our Heirs and Successors, the Sovereignty of the aforesaid country; to have, hold, possess, and enjoy the said tract of land, country, isles, inlets, and other the premises, unto the said William Penn, his Heirs and Assigns, to the only proper use and behoof of the said William Penn, his Heirs and Assigns, for ever; to be holden of Us, Our Heirs and Successors, Kings of England, as of Our Castle of Windsor, in Our county of Berks, in free and common soccage, by fealty only, for all services, and not *in capite*, or by Knights service; yielding and paying therefore to Us, Our Heirs and Successors, two beaver-skins, to be delivered at Our said Castle of Windsor, on the first day of January in every year; and also the fifth part of all gold and silver ore, which shall from time to time happen

to be found within the limits aforesaid, clear of all charges. And of Our further grace, certain knowledge, and mere motion, We have thought fit to erect, and We do hereby erect, the aforesaid country and island into a province and seignory, and do call it Pennsylvania, and so from henceforth We will have it called. And forasmuch as We have hereby made and ordained the aforesaid William Penn, his Heirs and Assigns, the true and absolute proprietaries of all the lands and dominions aforesaid: Know ye therefore, that We reposing special trust and confidence in the fidelity, wisdom, justice, and provident circumspection of the said William Penn, for Us, Our Heirs and Successors, do grant free, full, and absolute power, by virtue of these Presents, to him and his Heirs, and to his and their Deputies and Lieutenants, for the good and happy government of the said country, to ordain, make, enact, and under his and their Seals to publish any laws whatsoever, for the raising of money for the publick use of the said Province, and for any other end appertaining either to the public state, peace, or safety of the said country, or unto the private utility of particular persons, according to their best discretions, by and with the advice, assent, and approbation of the Freemen of the said country, or the greater part of them, or of their Delegates or Deputies, whom for the enacting of the said laws, when and as often as need shall require, We will, that the said William Penn, and his Heirs, shall assemble in such sort and form, as to him and them shall seem best, and the said laws duly to execute unto and upon all people within the said country and limits thereof. And We do likewise give and grant unto the said William Penn, and his Heirs, and to his and their Deputies and Lieutenants, full power and authority to appoint and establish any Justices, Magistrates, and Officers whatsoever, for what causes soever, for the probates of Wills, and for the granting of Administrations, within the precincts aforesaid, and with what power soever, and in such form as to the said William Penn, or his Heirs, shall seem most convenient; also to remit, release, pardon, and abolish, whether before judgment or after, all crimes and offences whatsoever, committed within the said country, against the said laws, treason and wilful and malicious murder only excepted; and in those cases to grant reprieves until Our Pleasure may be known therein; and to do all and every other thing or things, which unto the complete establishment of justice unto Courts and Tribunals, forms of judicature, and manner of proceedings, do belong, although in these Presents express mention be not made thereof; and by Judges by them delegated to award process, hold pleas, and determine, in all the said Courts and Tribunals, all actions, suits, and causes whatsoever, as well criminal as civil, personal, real, and mixt; which laws, so, as aforesaid, to be published, Our Will and Pleasure is, and so We injoin, require, and command, shall be most absolute and available in law; and that all the liege people and subjects of Us, Our Heirs and Successors, do observe and keep the same inviolably, in those parts, so far as they concern them, under the pain therein expressed, or to be expressed; provided nevertheless, That the said

laws be consonant to reason, and be not repugnant or contrary, but, as near as conveniently may be, agreeable to the laws, statutes, and rights of this Our kingdom of England; and saving and reserving to Us, Our heirs and successors, the receiving, hearing, and determining of the appeal and appeals of all or any person or persons of, in, or belonging to the territories aforesaid, or touching any judgment to be there made or given. And forasmuch as in the government of so great a country, sudden accidents do often happen, whereunto it will be necessary to apply a remedy, before the freeholders of the said province, or their delegates or deputies, can be assembled to the making of laws; neither will it be convenient, that instantly, upon every such emergent occasion, so great a multitude should be called together; therefore, for the better government of the said country, We will and ordain, and by these presents, for us, Our heirs and successors, do grant unto the said William Penn, and his heirs, by themselves, or by their magistrates and officers, in that behalf duly to be ordained, as aforesaid, to make and constitute fit and wholesome ordinances, from time to time, within the said country, to be kept and observed as well for the preservation of the peace, as for the better government of the people there inhabiting, and publickly to notify the same, to all persons whom the same doth or may any way concern; which ordinances, Our Will and Pleasure is, shall be observed inviolably, within the said Province, under pains therein to be expressed; so as the said ordinances be consonant to reason, and be not repugnant nor contrary, but, so as may be, agreeable to the laws of our kingdom of England; and so as the said ordinances be not extended in any sort, to bind, charge, or take away the right or interest of any person or persons, for or in their life, members, freehold, goods or chattles. And Our further Will and Pleasure is, That the laws for regulating and governing of property, within the said Province, as well for the descent and enjoyment of lands, as likewise for the enjoyment and succession of goods and chattels, and likewise as to felonies, shall be and continue the same as they shall be for the time being, by the general course of the law in our kingdom of England, until the said laws shall be altered by the said William Penn, his Heirs or Assigns, and by the freemen of the said Province, their Delegates or Deputies, or the greater part of them. And to the end the said William Penn, or his heirs, or other the planters, owners, or inhabitants of the said province may not, at any time hereafter, by misconstruction of the powers aforesaid, through inadvertency or design, depart from that faith, and due allegiance which, by the laws of this our kingdom of England, they and all our subjects in our dominions and territories always owe unto Us, Our Heirs and Successors, by colour of any extent or largeness of powers hereby given, or pretended to be given, or by force or colour of any laws hereafter to be made in the said Province, by virtue of any such powers; Our further Will and pleasure is, that a transcript or duplicate of all laws which shall be so as aforesaid made and published within the said Province, shall, within five years after the making thereof, be trans-

transmitted and delivered to the Privy Council, for the time being, of Us, Our Heirs and Successors: And if any of the said laws, within six months after that they shall be so transmitted and delivered, be declared by Us, Our Heirs and Successors, in Our or Their Privy Council, inconsistent with the sovereignty or lawful prerogative of Us, Our Heirs or Successors, or contrary to the faith or allegiance due by the legal government of this realm, from the said William Penn, or his Heirs, or of the planters and inhabitants of the said province; and that thereupon any of the said laws shall be adjudged and declared to be void by Us, Our Heirs or Successors, under Our or their Privy Seal; that then and from thenceforth such laws, concerning which such judgment and declaration shall be made, shall become void; otherwise the said laws so transmitted shall remain and stand in full force, according to the true intent and meaning thereof. Furthermore, that this new Colony may the more happily encrease by the multitude of people resorting thither, therefore We, for Us, Our Heirs and Successors, do give and grant, by these presents, power, licence, and liberty, unto all the liege people and subjects, both present and future, of Us, Our Heirs and Successors, (excepting those who shall be specially forbidden) to transport themselves and families unto the said country, with such convenient shipping, as, by the laws of this Our kingdom of England, they ought to use, and with fitting provisions, paying only the customs thereof due, and there to settle themselves, dwell and inhabit, and plant for the public and their own private advantage. And furthermore, that our subjects may be the rather encouraged to undertake this expedition with ready and chearful minds, know ye, That We, of Our special grace, certain knowledge, and mere motion, do give and grant, by virtue of these presents, as well unto the said William Penn, and his Heirs, as well to all others, who shall, from time to time, repair unto the said country with a purpose to inhabit there, or to trade with the natives of the said country, full licence to lade and freight in any ports whatsoever, of Us, Our Heirs and Successors, according to the laws made, or to be made, within our kingdom of England, and into the said country, by them, their servants or assigns, to transport all and singular their goods, wares, and merchandize, as likewise all sorts of grain whatsoever, and all other things whatsoever necessary for food or cloathing, not prohibited by the laws and statutes of Our kingdoms and dominions to be carried out of the said kingdoms, without any lett or molestation of Us, Our Heirs and Successors, or of any the Heir of Us, Our Heirs and Successors; saving always to Us, Our Heirs and Successors, the legal impositions, customs, and other duties and payments for the said wares, and merchandize, by any law or statute due, or to be due, to Us, Our Heirs or Successors. And we do further for Us, Our Heirs and Successors, give and grant unto the said William Penn, his Heirs and Assigns, free and absolute power to divide the said country and islands into towns, hundreds, and counties, and to erect and incorporate towns into boroughs, and boroughs into cities, and make and constitute fairs and markets

therein, with all other convenient privileges and immunities, according to the merit of the inhabitants, and the fitness of the places, and to do all and every other thing and things touching the premises, which to him or them shall seem meet and requisite, albeit they be such as of their own nature might otherwise require a more especial commandment and warrant than in these presents is expressed. We will also, and by these presents for Us, Our Heirs and Successors, We do give and grant licence by this Our Charter, unto the said William Penn, his Heirs and Assigns, and to all the inhabitants and dwellers in the Province aforesaid, both present and to come, to import or unlade, by themselves, or their servants, factors or assigns, all merchandize and goods whatsoever, as shall arise of the fruits and commodities of the said Province, either by land or sea, into any the ports of Us, Our Heirs and Successors, in our kingdom of England, and not into any other country whatsoever; and We give him full power to dispose of the said goods in the said ports, and if it need be, within One year next after the unlading of the same, to lade the said merchandizes and goods again into the same or other ships, and to export the same into any other countries either of Our dominions or foreign, according to law: provided always, that they pay such customs and impositions, subsidies and duties, for the same, to Us, Our Heirs and Successors, as the rest of Our subjects of Our Kingdom of England for the time being, shall be bound to pay; and do observe the acts of navigation, and other laws in that behalf made. And furthermore, of our more ample and special grace, certain knowledge, and mere motion, We do, for Us, Our Heirs and Successors, grant unto the said William Penn, his Heirs and Assigns, full and absolute power and authority to make, erect, and constitute, within the said Province, and the isles and illets aforesaid, such and so many sea-ports, harbours, creeks, havens, keys, and other places, for discharging and unlading of goods and merchandizes out of the ships, boats and other vessels, and lading them in such and so many places, and with such rights, jurisdictions, and liberties, and privileges unto the said ports belonging, as to him or them shall seem most expedient; and that all and singular the ships, boats, and other vessels, which shall come for merchandize and trade unto the said Province, or out of the same shall depart, shall be laden or unladen only at such ports as shall be erected and constituted by the said William Penn, his Heirs or Assigns; any use, custom, or other things to the contrary notwithstanding: provided that the said William Penn, and his Heirs, and the Lieutenants and Governors for the time being, shall admit and receive, in and about all such ports, havens, creeks, and keys, all officers and their deputies, who shall from time to time be appointed for that purpose, by the Farmers or Commissioners of Our customs for the time being. And We do further appoint and ordain, and by these presents, for Us, Our Heirs and Successors, We do grant unto the said William Penn, his Heirs and Assigns, that he the said William Penn, his Heirs and Assigns, may from time to time, forever, have and enjoy the customs and subsidies in the ports, harbours, and other creeks and places

places aforesaid, within the province aforesaid, payable or due for merchandizes and wares there to be laded and unladed; the said customs and subsidies to be reasonably assessed (upon any occasion) by themselves and the people there, as aforesaid, to be assembled; to whom we give power, by these presents, for Us, Our Heirs and Successors, upon just cause, and in a due proportion, to assess and impose the same; saving unto Us, Our Heirs and Successors, such impositions and customs, as by Act of Parliament are and shall be appointed. And it is Our further Will and Pleasure, That the said William Penn, his Heirs and Assigns, shall, from time to time, constitute and appoint an Attorney or Agent to reside in or near Our City of London, who shall make known the place where he shall dwell, or may be found, unto the clerks of Our Privy Council for the time being, or One of them, and shall be ready to appear in any of Our Courts at Westminster, to answer for any misdemeanours that shall be committed, or by any wilful default or neglect permitted by the said William Penn, his Heirs or Assigns, against Our laws of trade or navigation; and after it shall be ascertained in any of Our said Courts what damages We, or Our Heirs or Successors, shall have sustained by such default or neglect, the said William Penn, his Heirs and Assigns, shall pay the same within One year after such taxation and demand thereof, from such Attorney; or in case there shall be no such Attorney, within the space of One year; or such Attorney shall not make payment of such damages within the space of a year, and answer such other forfeitures and penalties within the said time, as by the Acts of Parliament in England are or shall be provided, according to the true intent and meaning of these presents; then it shall be lawful for Us, Our Heirs and Successors, to seize and resume the Government of the said province or country, and the same to retain until payment shall be made thereof; but notwithstanding any such seizure or resumption of the government, nothing concerning the propriety or ownership of any lands, tenements, or other hereditaments, or goods, or chattels, of any of the adventurers, planters, or owners, other than the respective offenders there, shall be any way affected or molested thereby. Provided always, and Our will and pleasure is, that neither the said William Penn, nor his Heirs, nor any other the inhabitants of the said province, shall at any time hereafter have or maintain any correspondence with any other King, Prince or State, or with any of their subjects, who shall then be in war against Us, Our Heirs or Successors; nor shall the said William Penn, or his Heirs, or any other the inhabitants of the said province, make war, or do any act of hostility against any other King, Prince, or State, or any of their subjects, who shall then be in league or amity with Us, Our Heirs or Successors. And because in so remote a country, and situate near so many barbarous nations, the incursions as well of the Savages themselves, as of other enemies, pirates, and robbers, may probably be feared, therefore we have given, and for Us, Our Heirs and Successors, do give power by these presents, unto the said William Penn, his Heirs and Assigns, by themselves, or their Captains, or other

their Officers, to levy, muster, and train all sorts of men, of what condition, or wheresoever born, in the said province of Pennsylvania, for the time being, and to make war, and pursue the enemies and robbers aforesaid, as well by sea as by land, yea, even without the limits of the said province, and (by God's assistance) to vanquish and take them; and being taken, to put them to death, by the law of war, or to save them, at their pleasure; and to do all and every other thing, which unto the charge and office of a Captain-General of an army belongeth, or hath accustomed to belong, as fully and freely as any Captain-General of an army hath ever had the same. And furthermore, of our special grace, and of Our certain knowledge, and mere motion, We have given and granted, and by these presents, for Us, Our Heirs and Successors, do give and grant, unto the said William Penn, his Heirs and Assigns, full and absolute power, licence, and authority, that he the said William Penn, his Heirs and Assigns, from time to time hereafter, for ever, at his and their will and pleasure, may assign, alien, grant, demise, or enfeof of the premises, so many and such part or parcels to him or them that shall be willing to purchase the same, as they shall think fit; to have and to hold to them the said person or persons willing to take or purchase, their Heirs and Assigns, in fee simple, or in fee tail, or for the term of life or lives, or years, to be held of the said William Penn, his Heirs and Assigns, as of the Seignory of Windsor, by such services, customs, and rents, as shall seem fit to the said William Penn, his Heirs and Assigns, and not immediately of Us, Our Heirs and Successors: And to the same person or persons, and to all and every of them, We do give and grant, by these presents, for Us, Our Heirs and Successors, licence, authority and power, that such person or persons may take the premises, or any parcel thereof, of the said William Penn, his Heirs or Assigns, and the same hold to themselves, their Heirs or Assigns, in what estate of inheritance soever, in fee simple, or in fee tail, or otherwise, as to him the said William Penn, his Heirs and Assigns, shall seem expedient; the statute made in the Parliament of Edward, son of King Henry, late King of England, Our predecessor, commonly called the statute "*Quia Emptores terrarum*," lately published in Our kingdom of England, in any wise notwithstanding. And by these presents We give and grant licence unto the said William Penn, and his Heirs, likewise to all and every such person and persons, to whom the said William Penn, or his Heirs, shall, at any time hereafter, grant any estate of inheritance as aforesaid, to erect any parcels of land within the province aforesaid, into Manors, by and with the licence to be first had and obtained for that purpose, under the hand and seal of the said William Penn, or his Heirs, and in every of the said Manors to have and to hold a Court of Baron, with all things whatsoever which to a Court Baron do belong, and to have and to hold view of frank pledge (for the conversation of the peace, and the better government of those parts) by themselves or their Stewards, or by the Lords, for the time being, of other Manors to be deputed when they shall be erected, and in the same to use all things belonging

ing to view of frank pledge: And we do further grant Licence and Authority, that every such person and persons who shall erect any such Manor or Manors as aforesaid, shall or may grant all or any part of his said lands to any person or persons in fee simple, or any other estate of inheritance, to be held of the said Manors respectively, so as no further tenures shall be created; but that upon all further and other alienations thereafter to be made, the said lands so aliened shall be held of the same Lord, and his Heirs, of whom the alienor did then before hold, and by the like services, which were before due and accustomed. And further Our pleasure is, and by these presents, for Us, Our Heirs and Successors, We do covenant and grant to and with the said William Penn, and his heirs and assigns, that We, Our heirs and successors, shall at no time hereafter set or make, or cause to set any imposition, custom, or other taxation, rate, or contribution whatsoever, in and upon the dwellers and inhabitants of the aforesaid province, for their lands, tenements, goods, or chattels within the said province, or in and upon any goods or merchandize within the said province, or to be laden or unladen within the ports or harbours of the said province, unless the same be with the consent of the Proprietary, or chief Governor, or Assembly, or by Act of Parliament in England. And Our pleasure is, and for Us, Our heirs and successors, We charge and command, that this Our declaration shall from henceforward, from time to time, be received and allowed in all Our courts, and before all the judges of Us, Our heirs and successors, for a sufficient discharge, payment and acquittance; commanding all and singular the officers and ministers of Us, Our heirs and successors, and enjoining them upon pain of Our high displeasure, that they do not presume, at any time, to attempt anything to the contrary of the premises, or that they do in any sort withstand the same; but that they be at all times aiding and

assisting, as fitting, unto the said William Penn, and his heirs, and to the inhabitants and merchants of the province aforesaid, their servants, ministers, factors, and assigns, in the full use and fruition of the benefit of this Our charter. And Our further pleasure is, and We do hereby, for Us, our heirs and successors, charge and require, that if any of the inhabitants of the said province (to the number of twenty) shall, at any time hereafter, be desirous, and shall by any writing, or by any person deputed for them, signify such their desire to the Bishop of London, for the time being, that any preacher or preachers, to be approved of by the said Bishop, may be sent unto them for their instruction, that then such preacher or preachers shall and may be, and reside within the said province, without any denial or molestation whatsoever. And if perchance hereafter it shall happen, any doubts or questions should arise concerning the true sense and meaning of any word, clause, or sentence contained in this Our present charter, We Will, Ordain and Command, that at all times, and in all things, such interpretation be made thereof and allowed, in any of Our courts whatsoever, as shall be adjudged most advantageous and favourable unto the said William Penn, his heirs and assigns; provided always, that no interpretation be admitted thereof, by which the allegiance due unto Us, Our heirs and successors, may suffer any prejudice or diminution; although express mention be not made in these presents of the true yearly value and certainty of the premises, or of any part thereof, or of other gifts and grants made by Us, Our progenitors or predecessors, unto the said William; or any statute, act, ordinance, provision, proclamation, or restraint heretofore had, made, published, ordained, or provided, or any other thing, cause, or matter whatsoever, to the contrary thereof, in any wise notwithstanding. In witness, &c. witness ourself at Westminster, the eight and twentieth day of February.

By Writ of Privy Seal.

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